

Remarks

In the Office Action of May 23rd 2003, the Examiner rejected claim 1-15. The Examiner first objected to the drawings under the 37 CFR 1.83 (a). Applicant has amended the claims to replace "filled channel" with "recess" or "recess means" which should obviate this rejection. The Examiner next objected to this specification over some inconsistent language. Applicant amends the specification above to overcome this objection.

The Examiner next rejected claims 2, 3, 5-15 under 35 USC 112 based on clarity and antecedent basis problems. Applicant has amended the claims above to overcome these rejections.

The Examiner next rejected claims 1 and 4 under 35 USC 103 (a) as unpatentable over *Richards et al.*

The Examiner next rejected claims 1-4 under USC 102 (b) as been anticipated by *Wagner*.

Applicant has amended claim 1 to describe a "recess means for said recess means for increasing a cross sectional food product flow area along the longitudinal direction for filling said cavity with food product from said delivery channel via said fill opening." Neither *Richards et al.* nor *Wagner* describe such a recess means. The delivery channel 25 of *Richards et al.* and the fill channel 33 formed in fill plate 32 of *Wagner* both feed food product in a vertical direction, normal to the longitudinal direction of reciprocation of the mold plate.

The recess means of claim 1 serves a different function, that is, to increase the food product flow area along the longitudinal direction. This is

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important to reduce the fill pressure otherwise required to fill low profile (small height) fill cavities from the fill opening longitudinally within the cavity. The fill openings in *Richards et al.* and *Wagner* do not serve this function or offer the advantage of the invention set forth in amended claim 1.

Applicant asserts that claim 1 should now be allowable as should dependent claims 2-4.

The Examiner next objected to claims 5-15, but indicated their allowability if written to overcome the 35 USC 112 rejection and to include all the limitations of the base claim and any intervening claims. Applicant has complied with these instructions and as such these claims should all now be allowable.

Applicant has added new claims 16-20, dependent on allowable claim 5, that should also now be allowable.

Applicant asserts that all claims are now in condition for allowance.

Respectfully Submitted,

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